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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,002	02/27/2002	Alin D'Silva	01-1013	5764

32127 7590 11/02/2005

VERIZON CORPORATE SERVICES GROUP INC.
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EXAMINER

AL AUBAIDI, RASHA S

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center">Advisory Action Before the Filing of an Appeal Brief</p>	Application No. 10/084,002	Applicant(s) D'SILVA ET AL.	
	Examiner Rasha S. AL-Aubaidi	Art Unit 2642	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 12 October 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
 b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ They raise the issue of new matter (see NOTE below);
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. ☐ Applicant's reply has overcome the following rejection(s): _____.
 6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
 The status of the claim(s) is (or will be) as follows:
 Claim(s) allowed: _____.
 Claim(s) objected to: _____.
 Claim(s) rejected: 1-3,5,7-10,12,14,22,24 and 26-37.
 Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attachment.
 12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
 13. ☐ Other: _____.

Claim Objections

1. Objection to claim 26 has been withdrawn.

Response to Arguments

2. Applicant's arguments filed 10/12/2005 have been fully considered but they are not persuasive.

Regarding Applicant's argument "the Examiner has shown no suggestion in the prior art of 'determining whether to establish the call connection'". Examiner respectfully agrees that this limitation was not specifically addressed. However, the claimed feature "determining whether to establish the call connection" is inherent in Pattison because after the information is received and recorded (col. 2, lines 3-6) a call (which reads on the monitoring session) must be established.

Applicant argues "Pattison and Frey taken alone or in combination, fail to teach or suggest at least these elements of claims 1, 8, 22, and 27". Applicant also adds that Frey teaches an access module (117), which analyzes digits in order to recognize the type of information requested by the calling party instead of "analyzing ... and providing a result to the requesting party". Examiner respectfully disagrees with applicant's argument for the following reason: the claimed limitation of "analyzing the recorded dial stream information ... and providing a result to the requesting party" is a broad and general limitation. Thus, the broad limitation of "analyzing the recorded dial steam information ... and providing a result to the requesting party" may possibly read on

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Frey's teaching of having the an access module (117) analyzing the entered information and providing a result to this entered information as taught by Frey in col. 6, lines 43-59.

Regarding applicant's argument on page 13 of the remarks, it appears that applicant is arguing limitations that are taught in the primary reference (Pattison) and applying these limitations in the secondary reference (Frey). Applicant is reminded that Frey was introduced for the feature of "analyzing the recorded dial steam information ... and providing a result to the requesting party" only. Therefore, there is no need for applicant to bring limitations that have been previously addressed in the primary reference and applying these limitations to the secondary reference to see if they are going to achieve any results or not.

Regarding applicant's argument for the rejection of claims 32-37 and specifically regarding the rejection of claim 32. Examiner noted that all the recited limitations of independent claim 32 are substantially the same imitations recited in independent claim 1. Therefore, independent claim 32 can be rejected for the same reasons addressed in independent claim 1, as long as the limitations in dependent claim 1 are properly addressed.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (571)


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272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar, can be reached on (571) 272-7488.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner
Rasha S. Al-Aubaidi
Art Unit 2642
10/24/2005


AHMAD F. MATAR
SUPERVISORY PATENT EXAMINER
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